| TRANSMITTAL FORM  (to be used for all correspondence after initial fi   | Application Number  Filing Date  First Named Inventor   | Approved for use through 08/30/2003. OMB 0651- Patent and Trademark Office; U.S. DEPARTMENT OF COMME lection of information unless it displays a valid OMB control nun 10/604,874  August 22, 2003  Eric T. Kool  Unknown  Unknown  12665.0025.NPUS01 |  |  |
|---|---|---|--|--|
| Total Number of Pages in This Submission  |   | 12003.0025.NPUS01   |  |  |
|   | ENCLOSURES (Check all   | that apply)   |  |  |
| Fee Transmittal Form  Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application  Response to Missing Parts under 37 CFR 1.52 or 1.53 | Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence A Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Remarks  STATEMENT UNDER 37 C.F.R. 3.73  POSTCARD | Address Status Letter Other Enclosure(s) (please Identify below):   |  |  |
| SIGNAT  | URE OF APPLICANT, ATTOR   | RNEY, OR AGENT  |  |  |
| Firm or HOWREY SIMON AR Individual name   | NOLD & WHITE  |   |  |  |
| Signature   |   |   |  |  |

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| Typed or printed name | Christopher J. Buntel, Ph.D., Reg. 44,573 |      |             |
|-----------------------|---|------|-------------|
| Signature             | Chr. San                                  | Date | May 4, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## STATEMENT UNDER 37 C.F.R. 3.73(b)

ant/Patent Owner:

Eric T. Kool et al.

Application No./Patent No.: 10/604,874

Filed/Issue Date:

August 22, 2003

Entitled:

FLUORESCENT GLYCOSIDES AND METHODS FOR THEIR

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

The Board of Trustees of the Leland Stanford Junior University (name of assignee), a university of the State of California (type of organization), states that it is:

| 1.   | $\boxtimes$ | the ass  | signee of the e | entire right, title | e, and interest; or                               |
|--|-------------|--|-----------------|---------------------|---|
| 2.   |             | an assi  | ignee of an ur  | ndivided part ir    | nterest   |
| in the patent application/patent identified above by virtue of either: |             |  |                 |                     |   |
| A.   | $\boxtimes$ | An assignment from the inventor(s) of the patent application/patent identified |                 |                     |   |
|  |             | above.   | The assignm     | nent was recor      | ded in the Patent and Trademark Office at Ree     |
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| OR   |             |  |                 |                     |   |
| B.   |             | A cha  | in of title fro | om the invento      | or(s) of the patent application/patent identified |
|  |             | above  | to the current  | t assignee as sh    | own below:  |
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|   | Copies of assignment | gnments or      | other documen                                | ts in the chain of title are attached.           |
|   | [NOTE: A se          | parate copy     | (i.e. the origi                              | nal assignment document or a true copy of the    |
| original document) must be submitted to Assignment Division in accordance we CFR Part 3, if the assignment is to be recorded in the records of the PTO. See |                      |                 | to Assignment Division in accordance with 37 |  |
|   |                      |                 | recorded in the records of the PTO. See MPEP |  |
|   | 302-302.6]           |                 |  |  |
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| The ur  | ndersigned (who      | ose title is su | applied below)                               | is empowered to sign this statement on behalf of |
| the ass   | signee.              |                 |  |  |
|   |                      |                 | 1/   | Marine Ku  |
| Signat  | ure:                 |                 | KE   | harine Ku  |
|   | or printed name      | e: Kath         | narine Ku                                    |  |
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| Date:   |                      |                 | 3/04   |  |
|   |                      |                 |  |  |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of:

Group Art Unit: Unknown

Eric T. KOOK, et al.

§ § Examiner: Unknown

Serial No.: 10/604,874

Confirmation No. 1873

Atty Docket: 12665.0025.NPUS01

Filed: August 22, 2003

Client Docket: S01-226

FLUORESCENT GLYCOSIDES For:

AND METHODS FOR THEIR USE

## ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoint the attorneys and agents of the law firm of Howrey Simon Arnold & White, LLP, associated with Customer Number 23369, for so long as they remain with such firm,

with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive the Letters Patent document, and for one year after the issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to The Board of Trustees of the Leland Stanford Junior University, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all future communications regarding this application as follows:

Customer Number 23369 Howrey Simon Arnold & White, LLP 750 Bering Drive Houston, TX 77057-2198 (713) 787-1400

| THE LEI<br>By: | LAND STANFORD JUNIOR UNIVERSITY                      |
|----------------|--|
| Name:          | Katharine Ku   |
| Title:         | Director, Stanford Office of Technology<br>Licensing |
| Date:          | 04/23/04   |

ASSIGNEE: THE BOARD OF TRUSTEES OF

## **ASSIGNMENT:**

Concurrently filed
Previously recorded

Date:

September 3, 2003

Reel:

013940

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0053